



SHEFFIELD CITY COUNCIL Agenda Item 13

Cabinet Highways Committee

Report of: Executive Director, Place

Date: 13 December 2012

Subject: Responses to a proposed Traffic Regulation Order associated with the Smithy Wood Crescent Prohibition of Driving Scheme for the South Community Assembly

Author of Report: S. Collier

Summary: The report sets out the public response to the advertised Traffic Regulation Order (TRO) to legalise the 'Prohibition of Motor Vehicles Except for Access' signs which have been installed on Smithy Wood Crescent at its junctions with Chesterfield Road and Woodseats Road to prevent non-residential traffic using it as a through route.

Reasons for Recommendations:

- The Traffic Regulation Order is necessary to enable enforcement of the restriction to be carried out with a view to resolving problems which have been raised by local residents.
- Community Assembly members and officers have given due consideration to the views of the respondents in an attempt to find an acceptable solution. The recommendation is considered to be a balanced attempt to address residents' concerns and aspirations.

Recommendations:

- Overrule the objection to the traffic regulations on Smithy Wood Crescent and the restriction be introduced as shown in the plan in Appendix A to this report.
- Make the Traffic Regulation Order in accordance with the Road Traffic Regulation Act, 1984.
- Inform the objector and other respondents accordingly.

Background Papers: None

Category of Report: OPEN

Statutory and Council Policy Checklist

Financial Implications
NO Cleared by: Matthew Bullock
Legal Implications
NO Cleared by: Nadine Wynter
Equality of Opportunity Implications
NO Cleared by: Ian Oldershaw
Tackling Health Inequalities Implications
NO
Human rights Implications
NO:
Environmental and Sustainability implications
NO
Economic impact
NO
Community safety implications
NO
Human resources implications
NO
Property implications
NO
Area(s) affected
South Area of Sheffield
Relevant Cabinet Portfolio Leader
Councillor Leigh Bramall
Relevant Scrutiny Committee if decision called in
Culture, Economy and Sustainability
Is the item a matter which is reserved for approval by the City Council?
NO
Press release
NO

RESPONSES TO PROPOSED TRAFFIC REGULATION ORDER FOR SMITHY WOOD CRESCENT ON BEHALF OF THE SOUTH COMMUNITY ASSEMBLY

1.0 SUMMARY

1.1 The report sets out the public response to the advertised Traffic Regulation Order (TRO) to legalise the 'Prohibition of Motor Vehicles Except for Access' signs which have been installed on Smithy Wood Crescent at its junctions with Chesterfield Road and Woodseats Road to prevent traffic using it as a through route.

2.0 WHAT DOES THIS MEAN FOR THE PEOPLE OF SHEFFIELD

2.1 The scheme outlined in this report responds to requests from residents of Smithy Wood Crescent for some action to be taken to prevent traffic using their road as a through route, particularly at peak times.

2.2 The proposed access restrictions, once they are enforced, should have a positive impact on road safety on Smithy Wood Crescent and generally improve manoeuvrability and access for residents, motorists and other road users.

2.3 The process involved in consulting on these schemes supports the 'A Great Place to Live' outcome contained within the Corporate plan 'Standing Up for Sheffield' by giving local communities a greater voice and more control over services which are focussed on the needs of individual customers.

3.0 OUTCOME AND SUSTAINABILITY

3.1 The scheme contained in this report should meet the objectives of addressing the issues which have been raised by residents.

3.2 It is anticipated that once the proposals are in place it will improve road safety and make a contribution to the Council's objective of reducing road danger and potential accidents.

4.0 REPORT

Scheme Information

4.1 Earlier this year, 'Prohibition of Motor Vehicles Except for Access' signs were installed on Smithy Wood Crescent at its junctions with Chesterfield Road and Woodseats Road for the purpose of deterring motorists from using this road as a through route, particularly at busy times. A TRO has recently been formally advertised to make the signs legally enforceable by South Yorkshire Police.

4.2 The advertising was carried out between 3 August and 24 August 2012 and consisted of a notice in the 'Sheffield Star' newspaper on 3 August 2012, notices posted on street and letters delivered/posted to all the properties (58) in this section of Smithy Wood Crescent directly affected by the proposals. The TRO is being promoted by the South Community Assembly.

TRO Advertising/Consultation Results

- 4.3 Eight responses were received, all from consulted residents. Seven of the responses support the proposal and there is one objection.
- 4.4 The Police, Ambulance Service, South Yorkshire Fire and Rescue and South Yorkshire Passenger Executive were sent scheme proposals on 3 August 2012. No objections were received.

Details of Supportive Responses

- 4.4 The seven residents supporting the proposals all have similar views and are in favour of any measures which will make their road safer and prevent speeding vehicles using it as a cut through when there are traffic queues on Chesterfield Road. The residents have suffered minor accidents as a result of this practice and they feel that a serious accident will occur if nothing is done. One resident states that the amount of through traffic has increased to such an extent that it is no longer safe to allow children to walk down or cross the road. There is also verbal abuse from the motorists when residents are trying to get into and drive away in their cars and this often takes 10-15 minutes because of the volume of traffic.
- 4.5 Some of the residents, however, have questioned what measures are in place to enforce this Traffic Regulation Order as they claim that the installation of the signs has made very little difference and a large number of vehicles are still using this narrow residential road as a cut through, in effect ignoring the signs. The most common time is during the evening rush hour, when vehicles are queuing on Chesterfield Road and they use Smithy Wood Crescent as an alternative route. They consider that if the signs are not actively enforced and the offending drivers start to realise this then the situation will remain the same. Some of the residents are therefore sceptical that just legalising the signs will make no difference to the day to day situation. One resident feels that if the scheme is not enforced then the Council might as well save the money on this scheme and put it towards something that will work. Another resident has asked if any consideration has been given to introducing a 'No Right Turn' restriction from Chesterfield Road into Smithy Wood Crescent.

Details of Objection

- 4.6 The objector considers that this proposal is an inadequate solution to a dangerous situation. He has made reference to the previous correspondence he received explaining that access only signs were being considered and he tried on numerous occasions to challenge this without receiving a positive response.
- 4.7 He states that Smithy Wood Crescent is a typical cut through by motorists using Chesterfield Road and Woodseats Road and at peak times it is not only 'horrendous' but dangerous with vehicles speeding and often coming close to near misses and sometimes collisions with moving and stationary vehicles. Heavy goods vehicles which are not suitable for this type of road also drive through resulting in collisions with stationary vehicles and stand-offs with other motorists.

- 4.8 He does not think that residents have had any say in the way that Smithy Wood Crescent should be used or any input into possible traffic safety or calming measures. He says that the signs have been in place several months and have had no impact in stopping or preventing non-residential traffic using the road and the problem is still severe and dangerous.
- 4.9 He also finds it hard to believe that the local police will monitor this street to ascertain if vehicles are using it legitimately or not, and does not believe it will be high on their priorities. He considers it to be an inadequate, poor and cheap decision to use access only signs.

Officer Assessment and Recommendation

- 4.10 While the greater majority of the residents who have replied are supportive of the legalisation of the existing access only signs on Smithy Wood Crescent, there are nevertheless concerns regarding the extent of the enforcement which will take place and whether this will be enough to make any considerable improvement to the current situation. This is borne out by the various points made by the objector who feels that the proposed Traffic Regulation Order(TRO) will make very little difference and will not resolve what he considers to be a dangerous situation.
- 4.11 Enforcement of this restriction is currently the responsibility of the Police and they have agreed to carry this out once the TRO comes into operation. It is assumed that the enforcement will only be possible on an occasional or ad-hoc basis but even so this should act as a deterrent and hopefully have the desired effect of dissuading offending motorists from running the risk of action being taken against them. In addition, discussions have been held with the Government about bringing in Section 6 of the Traffic Management Act 2004, which would allow the City Council to undertake enforcement, probably with cameras. This may be available within a year.
- 4.12 On balance, we consider that the objection should be overruled and the proposed TRO be made as advertised. However, we do share some of the reservations of the residents with regard to whether it will be possible to carry out sufficient enforcement to completely alleviate the current problems on Smithy Wood Crescent.

South Community Assembly Recommendation

- 4.13 The relevant Ward Members of the South Community Assembly have been forwarded details of the responses, in accordance with the procedure agreed between the Cabinet Member responsible for Transport and Highway issues and the Director of Development Services. This allows local Ward Members to advise officers on their preferred way forward with regard to this scheme.
- 4.14 Ward Members have confirmed their unanimous support for overruling the objection and implementing the proposals as detailed in the advertised scheme plan included in Appendix A.

Relevant Implications

- 4.15 The scheme specified in this report has been approved by the South Community Assembly from their Small Highway Schemes budget. There are no financial implications.
- 4.16 All local people will benefit from the proposed measure. An Equality Impact Assessment (EIA) has been conducted and concludes that the proposals will be of universal positive benefit to all regardless of age, sex, race, faith, disability, sexuality, etc. They should be of particular positive benefit to the more vulnerable members of society, including the young, the elderly and people with disabilities.
- 4.17 The Council has the power to make a Traffic Regulation Order (TRO) under Section 1 of the Road Traffic Regulation Act 1984 for reasons that include the avoidance of danger to people or traffic. A TRO can prohibit the use of roads by through traffic.
- 4.18 Before the Council can make a TRO, it must consult with relevant bodies in accordance with the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996. It must also publish notice of its intention in a local newspaper. These requirements have been complied with. There is no requirement for public consultation. However the Council should consider and respond to any public objections received.
- 4.19 As an objection has been received, the Council is under an obligation to consider it and may decide to hold a public inquiry. A public inquiry must be held in certain circumstances, but it is not required in this circumstance. Therefore the Council can, but is under no obligation to hold a public inquiry.
- 4.20 On the basis that the Council has properly considered the objection internally, it can either (i) make the proposed TRO (ii) make the TRO with modifications ; or (iii) not proceed with the TRO. Once made, the TRO would make it an offence under Section 5(1) of the Road Traffic Regulation Act 1984 to drive a motor vehicle along Smithy Wood Crescent except for access purposes.

5.0 ALTERNATIVES CONSIDERED

- 5.1 This scheme has been designed to meet local needs/priorities as identified by South Community Assembly members. The proposals put forward are considered to deliver the required outcomes to resolve the problems which have been brought to the attention of the Assembly.
- 5.2 One supporter suggested a 'No Right Turn' restriction on Chesterfield Road. This type of restriction is also enforced by the Police and no greater enforcement could be expected.
- 5.3 Other measures, such as traffic calming and junction closures, have been explored by the Community Assembly to prevent through traffic from using Smithy Wood Crescent, but these were beyond their budget.

6.0 REASONS FOR RECOMMENDATIONS

- 6.1 The Traffic Regulation Order for this scheme is necessary to enable enforcement of the restriction to be carried out with a view to resolving problems which have been raised by local residents.
- 6.2 Community Assembly members and officers have given due consideration to the views of the respondents in an attempt to find an acceptable solution. The recommendation is considered to be a balanced attempt to address residents concerns and aspirations.

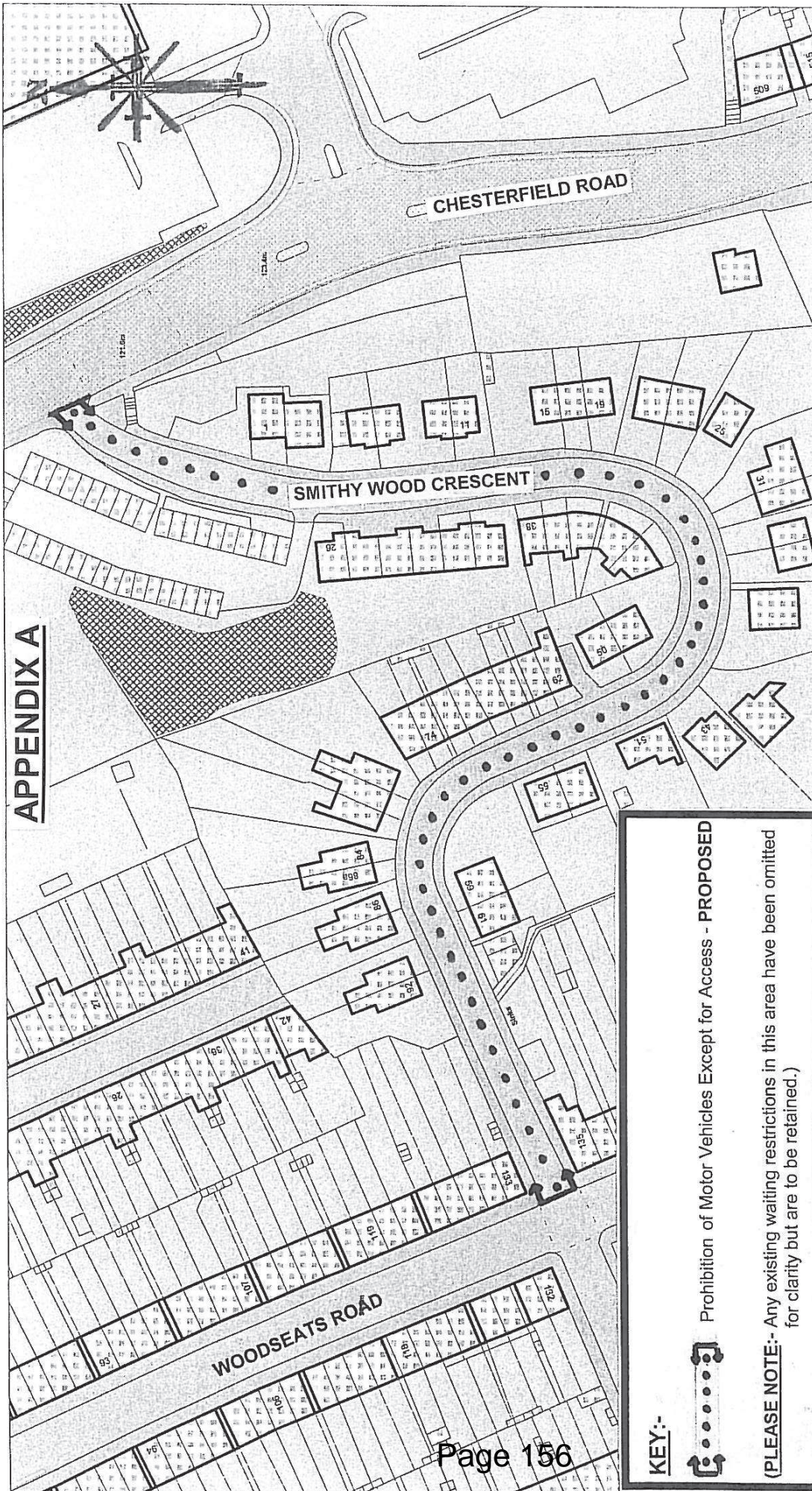
7.0 RECOMMENDATIONS

- 7.1 Overrule the objection to the proposed traffic regulations on Smithy Wood Crescent and introduce the restriction as shown in the plan in Appendix A to this report.
- 7.2 Make the Traffic Regulation Order in accordance with the Road Traffic Regulation Act, 1984.
- 7.3 Inform the objector and other respondents accordingly.

Simon Green
Executive Director, Place

8 November 2012

APPENDIX A



KEY:-

Prohibition of Motor Vehicles Except for Access - PROPOSED

(PLEASE NOTE:- Any existing waiting restrictions in this area have been omitted for clarity but are to be retained.)

SCALE	1 : 1000
DATE	12/04/2012
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**SMITHY WOOD CRESCENT-
PROPOSED PROHIBITION OF DRIVING
TRAFFIC REGULATIONS DRAWING**

